

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ARTHUR POWELL,
Petitioner,

v.

DEPARTMENT OF HOMELAND SECURITY
District Director, and
BUREAU OF IMMIGRATION AND CUSTOMS
ENFORCEMENT,
Respondents,

Civil Action No.
05-10824-NMG

MOTION FOR A CHANGE OF CUSTODY STATUS HEARING

NOW comes the petitioner, Arthur K. Powell, in this petition for a writ of habeas corpus and respectfully moves this court for a change of custody hearing pursuant to Immigration & Naturalization Act (INA) section 236(a).

In support of his request to be released into the community on a bond, petitioner states that he is being held pursuant to INA section 236(c) pending an order of final removal. However, petitioner is still eligible for conditional release based upon the decision in the Matter of Adeniji, Int. Dec. #3417 pg. 7-12 (BIA). See Memorandum in support of Motion.

Request for Oral Argument.

Petitioner request the opportunity to be heard on this motion in accordance with his due process rights.

ARTHUR POWELL
By his attorney

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